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OFFICE OF PETITIONS

In re Application of :  
Simona Pilone :  
Application No. 10/717,828 : ON PETITION  
Filed: November 20, 2004 :  
Attorney Docket No. 09728.0300US01 :

This is a decision on papers styled "Request For Reconsideration" filed on October 7, 2004, which is being treated as a renewed petition under 37 CFR 1.53, requesting that the above-identified application be accorded a filing date of November 20, 2003, including the specification, claims and drawings.

The application was filed on November 20, 2003. However, on June 24, 2004, the Office of Initial Patent Examination (OIPE) mailed a "Notice Of Incomplete Nonprovisional Application" (Notice) that stated the application had not been accorded a filing date, and the specification, claims and drawings were missing.

In response, on July 12, 2004, a petition and eight (8) pages of specification, ten (10) claims, an abstract and two (2) sheets of formal drawings were submitted. A copy of applicant's postcard receipt, submitted October 7, 2004, acknowledges receipt of eight (8) pages of specification, ten (10) claims, one (1) page of abstract and two (2) sheets of formal drawings on November 20, 2003. A review of the application file indicates the presence of zero (0) pages of specification, zero (0) claims and zero (0) sheets of drawings. It is assumed that missing pages of specification, claims, abstract and sheets of drawings were misplaced by the Office.

In view of the above, the petition is granted.

The \$130.00 petition fee will be refunded to deposit account no. 13-2725.

This application will be returned to OIPE for further processing with a filing date of November 20, 2003, using the eight (8) pages of specification, ten (10) claims, one (1) page of abstract and two (2) sheets of formal drawings, supplied on July 12, 2004.

Telephone inquiries should be directed to the undersigned at (571)272-3228.

A handwritten signature in dark ink, appearing to read 'E. J. Tannouse', followed by a horizontal line.

Edward J. Tannouse  
Petitions Attorney  
Office of Petitions  
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